

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,

Debtors in Foreign Proceedings.

Fairfield Sentry Limited (In Liquidation),

Plaintiff

-against-

Theodoor GGC Amsterdam, et al.

Defendants.

This Notice of Motion to Dismiss is related to  
the Following Adversary Proceeding:

10-03635

Chapter 15 Case

Case No. 10-13164 (BRL)

Jointly Administered

Adv. Pro. No. 10-03496 (BRL)

Administratively Consolidated

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Dexia Banque Internationale à Luxembourg SA's Motion to Dismiss, the Fifth Amended Complaint dated August 11, 2021, in the above-captioned action, set forth at Exhibit A hereto, and all prior pleadings and proceedings herein, Defendant Dexia Banque Internationale à Luxembourg SA, now known as Banque Internationale à Luxembourg SA ("BIL" or "Defendant"), will move this Court for an order dismissing with prejudice the claims against BIL, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021  
New York, New York

Respectfully Submitted,

CLIFFORD CHANCE US LLP

By: s/ Jeff E. Butler

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SA, now known as Banque  
Internationale à Luxembourg*